

### **REMARKS**

Claims 2, 3 and 5-23 are pending in the application and stand rejected. Claims 2, 5-8, 10, 11, 13-15, 17-20 and 22 are amended. No new matter is added. Claims 1 and 4 are cancelled. In light of the foregoing amendments and the following remarks, Applicant earnestly solicits favorable reconsideration.

#### **Drawings**

The drawings stand objected to for several reasons. First, the Examiner states that they do not show a “transverse slot extending through the catamaran hull of claim 17.”<sup>1</sup> A catamaran hull is shown in Fig. 17. A transverse slot is shown in a mono-hull in Figs. 13 and 16. Fig. 18 shows a transverse slot in a catamaran hull, but not in a plan view. However, Applicant respectfully submits that Fig. 18 is sufficient to meet the requirements of 37 CFR 1.83(a). The Examiner contends that according to 37 CFR 1.83(a) a transverse slot in a catamaran hull must be shown.

Specifically, 37 CFR 1.83(a) requires “The drawings in a nonprovisional application must show every feature of the invention specified in the claims.” This has been done as a transverse slot is shown in Figs. 13, 16 and 18 denoted by reference numeral 23. It does not matter what type of hull configuration the transverse slot is shown used in. That is, the “transverse slot” is the claimed feature of claims 15, 17 and 18.

As such, Applicant respectfully submits that the drawings comply with 37 CFR 1.83(a).

The Examiner also objects to Figs. 3-5 and 10-13 because they do not show how there are multiple centers of buoyancy. The Examiner submits that any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawings. However, the **structure** of the hull is shown in the drawings. As such, Applicant respectfully submits that the drawings are proper.

Furthermore, as indicated above with respect to 37 CFR 1.83(a), the drawings must show every feature specified in the **claims**. The multiple centers of buoyancy required in claims 13 and 22 pertain to, for example, Fig.1, reference numeral 21. Thus, the claimed feature is shown in the drawings.

Claims Rejections Under 35 U.S.C. § 112 second paragraph:

Claims 4-8, 10, 13, 17 and 18 are rejected under 35 U.S.C. § 112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the Examiner rejects claim 17 because “although a catamaran has two hulls, applicant has not explicitly claimed multiple or two hulls.”<sup>2</sup> Applicant respectfully disagrees with the Examiner’s rejection on two points.

First a catamaran by definition has two hulls, and therefore requiring each hull to have a transverse slot is not indefinite. Applicant is not required to claim a single or multiple hulls.

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<sup>1</sup> The Examiner objects on the same basis with respect to claim 18 as well.

<sup>2</sup> Claim 18 is rejected for the same reasons as claim 17 and thus the rationale set forth for claim 17 also applies to claim 18.

Second the term “each” in claim 17 (and claim 18) applies to all hulls in however many hulls a vessel may contain. That is, “each” applies to one hulled vessels as well as 3 hulled vessels. A person having ordinary skill in the art would therefore be apprised of what applicant is claiming in claims 17 and 18.

Regarding claim 4-8, 10 and 13, the Examiner objects because “applicant has not explicitly defined a front, rear, top and bottom of the slot for the examiner to clearly establish how the slot is open or closed.” Applicant has amended the claims to address the Examiner’s rejection.

#### **On the Merits**

##### Claim Rejections - 35 U.S.C. § 102(b)

Claims 2-16, 22 and 23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Klose* (US Patent 3,291,088).

##### Independent Claim 2:

Independent claim 2 requires:

A boat having enhanced stability, safety and comfort, comprising:

a unit body boat hull having at least one elongated, substantially vertical slot extending substantially therethrough such that said slot divides said boat hull into at least two substantially separate buoyant compartments, and such that water, on which the boat is floating, freely communicates with said slot and with air within and surrounding said slot;

wherein said slot is fully or partly open at, at least, a bow or a stern or a port side or a starboard side of said boat hull, or at a top or a bottom of said slot.

The Examiner uses Fig. 1 of *Klose* in attempting to disclose claim 2. Specifically, the Examiner points to reference numeral 64 which is described as a “daggerboard trunk.” Column 5, line 6. Applicant has amended claim 2 to require “wherein said slot is fully or partly open at, at least, a bow or a stern or a port side or a starboard side of said boat hull or at a top or a bottom of said slot.” *Klose* does not disclose or fairly suggest this feature. Please see FIG. 4. *Klose* appears to disclose a slot which is only open at a top or bottom of a boat hull, not at a bow or stern of a boat hull.

Independent Claim 5:

Independent claim 5 requires in part:

wherein said slot is open at a stern and closed at a bow of said boat hull.

Similar to that discussed above regarding claim 2, *Klose* does not disclose or fairly suggest this feature. That is, *Klose* does not disclose a slot open at a stern of a boat hull. Please see FIG. 4.

Independent Claim 8:

Independent claim 8 requires:

A boat having enhanced stability, safety and comfort, comprising:

a unit body boat hull having at least one elongated, substantially vertical slot extending approximately the length of said boat hull such that said slot divides said boat hull into at least two substantially separate buoyant compartments, and such that water, on which the boat is floating, freely communicates with said slot and with air within and surrounding said slot; wherein said slot is closed at a bow and at a stern of said boat hull.  
(Emphasis added.)

As emphasized above, claim 8 requires a slot extending approximately the length of the boat hull. On the other hand, the daggerboard trunk of *Klose* only extends a small distance compared to the length of the boat hull. As such, Applicant respectfully submits that this feature is not disclosed or fairly suggested by *Klose*.

Independent Claim 15:

A boat having enhanced stability, safety and comfort, comprising:  
a unit-body boat hull having at least one elongated, substantially vertical slot  
extending substantially therethrough such that said slot divides said boat hull  
into at least two substantially separate buoyant compartments, and such that  
water, on which said boat is floating, freely communicates with said slot and  
with air within and surrounding said slot;

wherein said slot extends transversely through said boat hull.

*Klose* does not disclose or fairly suggest the emphasized portion of claim 15, namely, “said slot extends transversely through said boat hull.” As shown in FIG. 4 of *Klose*, the daggerboard trunk appears to extend in the direction of the boat hull, not in a transverse direction as required by claim 15.

Dependent Claims:

As each of the dependent claims depends upon one of the above mentioned independent claims, the arguments presented above also apply to the dependent claims.

In view of the above, Applicant respectfully submits that their claimed invention is allowable and ask that the rejection under 35 U.S.C. §112 and the rejection under 35 U.S.C. §§

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Response  
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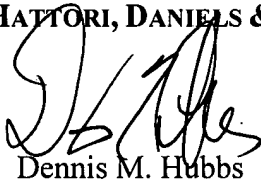
102 and 103 be reconsidered and withdrawn. Applicant respectfully submits that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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